UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,827	07/06/2001	Barry H. Schwab	2032-2.747BS	8990

86636   7590   05/07/2012
BRUNDIDGE & STANGER, P.C.
2318 MILL ROAD, SUITE 1020
ALEXANDRIA, VA 22314

EXAMINER
CHAN, RICHARD

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
05/07/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _12/19/2011_.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5) ☐ Claim(s) _____ is/are pending in the application.
    5a) Of the above claim(s) _____ is/are withdrawn from consideration.
6) ☐ Claim(s) _____ is/are allowed.
7) ☒ Claim(s) _8-68_ is/are rejected.
8) ☐ Claim(s) _____ is/are objected to.
9) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10) ☐ The specification is objected to by the Examiner.
11) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _12/12/11_.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 7/12/2010 have been fully considered but they are

not persuasive.

Regarding applicant's arguments that the Utsumi reference does not disclose

specifically *"Thus, the system of Utsumi '816 is not deleting messages from the call list*

in response to "a completion of the first call ... wherein the completion of the first call or

a completion of the second call includes contacting an intended recipient of the user."

The examiner wishes to point to the applicant to the Utsumi reference,

specifically wherein Utsumi teaches the deletion of numbers from a telephone list when

dialing of the number results in unresponsive communication response from the dialed

terminal. (Col.1 line 19-24) The conventional art teaches wherein a telephone number

list will be processed and numbers that are determined to be "null" will be deleted from

the list or to be replaced with correct new telephone numbers. (Col.1 line 29-32)

Regarding applicant's arguments that the Utsumi reference does not disclose

specifically "such that the initiating a call to at least two of the plurality of phone

numbers is initiated by respective commands, sequentially."

The examiner wishes to point to the applicant to the Utsumi reference,

specifically Col.2 line 61-Col. Line 4, Utsumi does implement a keyboard interface for

the user to initiate a command sequence in which the cleansing process begins. This

cleansing process involves a phone list which is systematically "cleansed". A sequential

list of phone numbers is processed by said cleaning command and is detailed in

Utsumi. (Col.3 line 12-38)

This "single" command initiates a clean up of a list (list is containing more than 1

phone number) and therefore reads on "dialing of at least two of telephone numbers."

An inspection of Fig.2 of Utsumi reveals that process in which the system sequentially

goes through a list of phone numbers and deletes the number from a list wherein the

numbers are determined to be "null".

The examiner is noting that there was a typo error on the previous office action.

The examiner had incorrectly cited the Utsumi (US 5,636,267) instead of the Utsumi

(5,796,816) reference. This was a typo, as both references had the same inventor

name. However, the examiner is noting that no changes have made to any of the

citations of Utsumi (5,796,816) were made, and the rejection still stands.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 8, 9, 11, 14, 33, 39-44, and 50-56 are rejected under 35 U.S.C. 102(b) as

being anticipated by Utsumi (5,796,816).

Regarding claims 8 and 54, Utsumi discloses a method comprising: sequentially

initiating, by a computer based calling system, a first call (Col.2 line 65-67, step 100

picks a 1st telephone number) and a second call by dialing a first phone number and a

second phone number, respectively, (Col.8 line 42-45, once the inspection of the first

number is performed a the process returns back to the first step 100 to inspect

subsequent numbers)

in response to sequentially receiving a first command and a second command,

respectively, wherein the first phone number and the second phone number are

sequentially included in a stored list; (Col.8 line 45-50)

wherein the second command is provided in response to a completion of the first

call; (Col.7 line 45-50, after the first command includes SET message being sent by the

calling part and send back an ALERTING or CONNECT message in the set up

sequence, a DISCONNECT message is sent to the network to perform a clear

sequence.")

and deleting, by the computer based calling system, the first phone number and

the second phone number from the list in response to a completion of the first call and

the second call, respectively.(Deletion occurs when a disconnect message is sent after

a cause is received which causes the DISCONNECT message to be sent Col.7 line 40-

59)

wherein the completion of the first call or the completion of the second call

includes contacting an intended recipient of the user. (Col.8 line 42-50; wherin step 501

is performed to determine if all the telephone number contained in the telephone

number lis which is to be processed has actually been processed, if not the process

returns to step 100 to inspect the subsequent telephone numner.)

Regarding claims 9 and 57, Utsumi discloses method of claim 8 and 54

respectively, further comprising receiving an indication that at least one of the first or

second commands is input via an abbreviated command. (Col.2 line 46-58; indicating a

file name through a computer terminal 1 to locate file name for cleaning list)

Regarding claims 11 and 59, Utsumi discloses the method of claim 8 and 54

respectively, further comprising receiving an indication that at least one of the first or

second commands is input via one or more key buttons of a communications device

that performs the sequentially initiating and the deleting. (Col.2 line 46-58; indicating a

file name through a computer terminal 1 to locate file name for cleaning list)

Regarding claims 14 and 39, Utsumi teaches the method of claim 8, and one or

more tangible computer-readable media of claim 33, wherein the return is performed

without manually entering the one or more of the plurality of telephone numbers. Fig.2

(204, not receiving disconnect message, process is reiterated)

Regarding claim 33, Utsumi teaches at least one or more tangible computer-

readable media comprising instructions that are executable by a communications device

to:

initiate dialing of a plurality of telephone numbers included in a list stored by the

communications device sequentially such that the dialing of at least two of the plurality

of telephone numbers is initiated by a respective ,sequentially (Claim 1, Col.10 line 27-

32) ;and

wherein the respective commands are available in response to a completion of a

previous call resulting from initiating a call to at least one of the plurality of phone

numbers included in the list, wherein the completion of the previous call includes

contacting an intended recipient of the user; (Col.7 line 45-50, after the first command

includes SET message being sent by the calling part and send back an ALERTING or

CONNECT message in the set up sequence, a DISCONNECT message is sent to the

network to perform a clear sequence.")and

returning to one or more of the plurality of telephone numbers that are

unanswered. Fig.2 (204, not receiving disconnect message, process is reiterated)

Regarding claim 40, Utsumi teaches the one or more tangible computer-readable

media of claim 33, wherein the returning includes rescheduling the dialing of the one or

more said telephone numbers when the one or more said telephone numbers is

unanswered. (Claim 1, Col.10 line 27-32)

Regarding claim 41, Utsumi teaches the one or more tangible computer-readable

media of claim 33, wherein the instructions are executable to form the list to include

telephone numbers of telephone calls that were received by the communications device

and not answered. (Claim 1, Col.10 line 27-32)

Regarding claim 42, Utsumi teaches the one or more tangible computer-readable

media of claim 41, wherein the instructions are executable to from the list using a caller

ID. (Call list is based on phone numbers)

Regarding claim 43, Utsumi teaches the one or more tangible computer-readable

media of claim 41, wherein the list is a schedule that details when at least one said

telephone number is to be dialed. (Claim 1, Col.10 line 27-32)

Regarding claim 44, Utsumi teaches the communications device comprising a

processor and memory (Fig.1) having instructions that are executable on the processor

to form a list having a plurality of telephone numbers of unanswered telephone calls of

the communications device and provide a feature to sequentially initiate dialing of the

plurality of telephone numbers included in the list such that the dialing of at least two of

the plurality of telephone numbers is initiated by a respective sequentially, (Claim 1,

Col.10 line 27-32)

wherein the respective commands are available in response to a completion of a

previous call resulting from initiating a call to at least one of the plurality of phone

numbers included in the list, wherein the completion of the previous call includes

contacting an intended recipient of the user; (Col.7 line 45-50, after the first command

includes SET message being sent by the calling part and send back an ALERTING or

CONNECT message in the set up sequence, a DISCONNECT message is sent to the

network to perform a clear sequence.")

Regarding claim 50, Utsumi teaches the communications device of claim 44,

further comprising instructions executable on the processor to reschedule the dialing of

a particular said telephone number in response to determining that a call directed to the

particular said telephone number is unanswered. (Claim 1, Col.10 line 27-32)

Regarding claim 51, Utsumi teaches the communications device of claim 50,

wherein the instructions to reschedule the initiation of the call are configured to perform

the initiation of the call without manually entering the particular said telephone number.

(Claim 1, Col.10 line 27-32)

Regarding claim 52, Utsumi teaches the communications device of claim 44,

further comprising instructions that are executable to form the list using caller ID to

include telephone numbers of telephone calls that were received by the

communications device and were not answered. (Claim 1, Col.10 line 27-32)

Regarding claim 53, Utsumi teaches the communications device of claim 52,

Utsumi wherein the instructions to form the list are configured to form a schedule that

details when at least one of the plurality of telephone numbers is to be dialed. (Claim 1,

Col.10 line 27-32)

Regarding claim 55, Utsumi discloses the method of claim 54, wherein the first

command is the same as the second command. , (Col.8 line 42-45, once the inspection

of the first number is performed a the process returns back to the first step 100 to

inspect subsequent numbers)

Regarding claim 56, Utsumi discloses the method of claim 54, wherein the first

command is different from the second command. (Col.8 line 48-52, wherein operation

stops if all numbers in the list have been checked)

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 10, 34-36, 45-47, and 57-60 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Utsumi et al. (5,796,816)

Regarding claims 10, 34-36, and 58, Utsumi fails to specifically disclose the one or more tangible computer-readable media of claim 33, abbreviated command either entered manually, manually abbreviated command, or by spoken command of a user (although it should be noted that Utsumi does disclose a call command).

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

Regarding claims 45-47, Utsumi fails to specifically disclose the one or more tangible computer-readable media of claim 44, abbreviated command either entered manually, manually abbreviated command, or by spoken command of a user (although it should be noted that Utsumi does disclose a call command).

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

Regarding claim 57, Utsumi discloses the method of claim 54, wherein the method of claim 54, further comprising receiving an indication that at least one of the first command or the second command is input via an abbreviated command.

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

Regarding claim 59, Utsumi discloses the method of claim 54, further comprising receiving an indication that at least one of the first command or the second command is input via one or more key buttons of the communications device.

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

Regarding claim 60, Utsumi discloses the method of claim 54, further comprising

outputting a pre\- recorded message associated with at least one of the first or second

phone numbers before dialing the respective one of the first or second phone numbers.

Official notice is taken that it is well known in the art to use call commands in

either abbreviated manual commands, manual or spoken entry methods.

6.   Claims 12, 13, 15-32, 37, 38, 48, 49, 61-68 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Utsumi et al (US 5,796,816) in view of Iwase (US 5,075,894

A).

Regarding claims 12 and 60, Utsumi discloses a device to communicate by

telephone call and sending the destination phone number a prerecorded message.

However, Utsumi does not specifically teach the means for outputting a pre-

recorded message that is associated with the first of the plurality of telephone numbers;

The Iwase reference however specifically teaches a device to communicate by

telephone call and sending the destination phone number a prerecorded message.

(Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to implement a pre-recorded message to be sent to a destination number as

taught by Iwase to the Utsumi reference in order to communication to destination

number users to be informed for the reason of the phone call.

Regarding claims 13, 25, 49, and 61, Utsumi and Iwase combined teach the communications device of claims 12, 21, and 48 respectively, Iwase continues to disclose wherein the pre-recorded message is a stored voice message. (Col.1 line 48-55)

Regarding claims, 26, 50, and 62, Utsumi and Iwase combined disclose the apparatus of claim 21 and 44 respectively, Iwase continues to disclose wherein the resolving means includes means for returning to the first of the plurality of telephone numbers when the first of the plurality of telephone numbers is unanswered. (Col.6 line 12-23)

Regarding claim 15, 27, 51, and 63, Utsumi and Iwase combined disclose the apparatus of claims 14, 26 and 50 respectively, Utsumi continues to disclose wherein the returning means is configured to perform without manual entry of the first of the plurality of telephone numbers. (Col.6 line 12-23)

Regarding claims 16, 28, 52, and 64, Utsumi and Iwase combined disclose the apparatus of claims 8, 26 and 50 respectively, Utsumi continues to disclose wherein the returning means is configured to reschedule the initiating of a call to the first of the plurality of telephone numbers when the first of the plurality of telephone numbers is unanswered. (Col.6 line 12-23,)

Regarding claim 17, 53, and 65, Utsumi and Iwase combined disclose the apparatus of claim 16, 26, and 52, Utsumi continues to disclose respectively wherein the returning means is configured to perform without manual entry of the first of the plurality of telephone numbers. (Col.6 line 12-23)

Regarding claims 18, 29, and 66 Utsumi and Iwase combined disclose the apparatus of claim 26 and 28, Utsumi continues to disclose wherein the returning means is configured to perform without manual entry of the first of the plurality of telephone numbers. (Col.6 line 12-23)

Regarding claim 21, Utsumi discloses the apparatus comprising:

means for receiving at least one of a plurality of commands to dial at least one of a plurality of telephone numbers included in a list;

wherein each command of the plurality of commands corresponds to a different phone number of the plurality of the phone numbers; (Deletion occurs when a disconnect message is sent after a cause is received which causes the DISCONNECT message to be sent Col.7 line 40-59)

wherein each of the plurality of commands after the first command is available in response to a completion of a previous call resulting from initiating a call to at least one of the plurality of phone numbers included in the list, wherein the completion of the previous call includes contacting an intended recipient of the user;(Col.7 line 45-50, after the first command includes SET message being sent by the calling part and send

back an ALERTING or CONNECT message in the set up sequence, a DISCONNECT

message is sent to the network to perform a clear sequence.")

means for initiating call to the one of the telephone numbers; (Col.5 line 10-13 &

Col.5 line 14-17)

and means for resolving a call to the first of the plurality of telephone numbers

that is a result of the dialing. (Col.5 line 14-17)

However, Utsumi does not specifically teach the means for outputting a pre-

recorded message that is associated with the first of the plurality of telephone numbers;

The Iwase reference however specifically teaches a device to communicate by

telephone call and sending the destination phone number a prerecorded message.

(Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to implement a pre-recorded message to be sent to a destination number as

taught by Iwase to the Utsumi reference in order to communication to destination

number users to be informed for the reason of the phone call.

Regarding claims 22-24, Utsumi and Iwase fails to specifically disclose the

abbreviated command either entered manually, manually abbreviated command, or by

spoken command of a user (although it should be noted that Utsumi does disclose a call

command).

Official notice is taken that it is well known in the art to use call commands in

either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time

the invention was made to either use manual or user spoken redial entry with Utsumi's

cleaning method/system for telephone number list in order to provide the computer user

of Utsumi with a wide array of call entry sequences.

Regarding claim 30, Utsumi and Iwase combined disclose the apparatus of claim

21, Utsumi continues to disclose further comprising means for forming the list to include

one or more of the plurality of telephone numbers that correspond to one or more

telephone calls that were received but not answered. (Col.6 line 12-23)

Regarding claim 19, 31, and 67 Utsumi and Iwase combined disclose the

apparatus of claim 30, Utsumi continues to disclose wherein the forming uses a caller

ID. (Claim 1, Col.10 line 27-32)

Regarding claims 20, 32, and 68, Utsumi and Iwase combined disclose the

apparatus of claims 18 and 30, Utsumi continues to disclose wherein the list is a

schedule that details when at least one of the plurality of telephone numbers is to be

dialed. (Col.6 line 12-23)

Regarding claim 37, Utsumi teaches one or more tangible computer-readable

media of claim 33, however Utsumi does not specifically disclose wherein the

instructions are further configured to cause an output of a pre-recorded message

associated with a particular one of the plurality of telephone numbers before dialing.

The Iwase reference however specifically teaches a device to communicate by

telephone call and sending the destination phone number a prerecorded message.

(Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to implement a pre-recorded message to be sent to a destination number as

taught by Iwase to the Utsumi reference in order to communication to destination

number users to be informed for the reason of the phone call.

Regarding claims 38, Utsumi and Iwase combined teach one or more tangible

computer-readable media of claim 37 and 48, wherein the pre-recorded message is a

stored voice message. (Col.1 line 48-55)

Regarding claim 48, Utsumi teaches the communications device of claim 44,

however does not specifically disclose wherein the instructions are further executable to

output a pre-recorded message associated with one of the plurality of telephone

numbers before the dialing of the telephone number.

The Iwase reference however specifically teaches a device to communicate by

telephone call and sending the destination phone number a prerecorded message.

(Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the

invention to implement a pre-recorded message to be sent to a destination number as

taught by Iwase to the Utsumi reference in order to communication to destination

number users to be informed for the reason of the phone call.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RICHARD CHAN whose telephone number is (571)272-

0570. The examiner can normally be reached on Mon-Fri 10AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Temesghen Ghebretinsae can be reached on 571-272-3017. The fax

phone number for the organization where this application or proceeding is assigned is

571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RICHARD CHAN/
Examiner, Art Unit 2618
5/4/2012

/TEMESGHEN GHEBRETINSAE/
Supervisory Patent Examiner, Art Unit 2618
5/3/12B